

F1 ~~the leg at the second end~~ [exiting from the leg proximate to the first end of the leg], the pot body and the at least one leg being filled with a fluid absorbing material.

F2 10. (Amended) The ~~single-piece~~ pot of claim 8, wherein the pot body has a base and side walls, the at least one leg connects to the base at [a second] ~~the first~~ end of the leg, the fluid conduit is between the first end and the second end of the leg.

F3 11. (Amended) The ~~single-piece~~ pot of claim [8] 10, further comprising a plurality of air circulation vents disposed on the ~~base of the~~ pot body.

F4 15. (Amended) The ~~single-piece~~ pot of claim 8, wherein the fluid absorbing material is soil.

Please add new claim 20 as follows:

F5 20. (New) The single-piece pot of claim [8] 11, wherein the at least one leg includes more than two legs.

REMARKS

Applicant has reviewed and considered the Office Action dated February 1, 2000. In response thereto, the specification and drawings are amended. Claims 9, 12-13, and 17-18 are canceled without prejudice or disclaimer; claims 8, 10-11, and 15 are amended; and claim 20 is added. As a result, claims 8, 10-11, 15, and 20 are pending in the present application. Reconsideration of the present application is respectfully requested.

The amendment filed 11/99 is objected to under 35 U.S.C. §132. It is stated that the added material, "The fluid conduit 32 allows fluid communication to and from the pot body 22 and allows fluid to exit from the leg 24 proximate to the first end 27 of the leg 24.", is not supported by the original disclosure. Applicant respectfully traverses the rejection. The disclosure on page 2, last paragraph, "The legs are filled with soil. It is so that water can be absorbed by the soil from a plastic film or tray. This way the plant will not be damaged by water, water will never be lost, and hand watering is now unnecessary in greenhouses and nursery fields.", and the features of the leg shown in Figure 1, provide the support for the objected material. To expedite the prosecution process, Applicant hereby deletes the objected material without prejudice or disclaimer.

It is also stated that claim 8 constitutes new matter as the structure at numeral 30 has not been defined in the original specification. Applicant respectfully submits that numeral 30 is referred to as the air circulation vents, and they are shown in the originally filed Figure 1. Claim 8 is also amended to be clearly supported by the original specification.

Claims 8-13, 15, 17 and 18 are rejected under 35 U.S.C. §102(b) as being anticipated by Carlson Des 352480. Applicant respectfully traverses the rejection for the following reasons.

Claim 8 is amended to recite a single-piece pot having a pot body and at least one leg connected to the pot body at a first end of the leg. The leg has a base portion at a second end of the leg and a fluid conduit enabling fluid communication to and from the pot body at the first end and being capable of absorbing fluid into the leg at the second end. The pot body and the at least one leg are filled with a fluid absorbing material.

Carlson illustrates a planter having a legged tray standing inside a pot. Carlson does not disclose or teach a single-piece pot having a pot body and at least one leg connected to the pot body at a first end of the leg, the leg has a fluid conduit enabling fluid communication to and from the pot body at the first end and being capable of absorbing fluid into the leg at a second end of the leg. Further, there is no motivation or suggestion in Carlson to teach a single-piece pot as recited in claim 8.

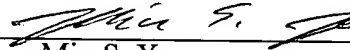
Therefore, Applicant respectfully submits that claim 8 patentably distinguishes over Carlson. Claims 10-11, 15, and 20, which are dependent from claim 8, are also patentable.

In view of the above, it is respectfully submitted that the present application is in a condition for allowance. Reconsideration of the application and a favorable response are respectfully requested.

If a telephone conference would be helpful in resolving any remaining issues, please contact the undersigned at (612)336-4733.

Respectfully submitted,

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